

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

ILDAR GIMADIEV

Plaintiff,

v.

ALEX M. AZAR, II, Secretary, United States
Department of Health and Human Services;
ROBERT R. REDFIELD, MD, Director, Centers
For Disease, Control and Prevention; MARTIN
S. CETRON, MD, Director, Division of Global
Migration and Quarantine, National Center for
Emerging and Zoonotic Infectious Diseases,
Centers for Disease Control and Prevention;
CLIVE M. BROWN, MBBS, MPH, MSc,
DTM&H (London), Chief, Quarantine and
Border Health Services Branch, Division of
Global Migration and Quarantine, National
Center for Emerging and Zoonotic Infectious
Diseases, Centers for Disease Control and
Prevention; STEPHANIE MICHEL, Quarantine
Officer, Quarantine and Border Health Services
Branch, Division of Global Migration and
Quarantine, National Center for Emerging
And Zoonotic Infectious Diseases, Centers for
Disease Control and Prevention, and U.S.
CUSTOMS AND BORDER PROTECTION,

Defendants.

CASE NO.

CV-20-4248

BLOCK, J.

MANN, CH. M.J.

PROPOSED TEMPORARY
RESTRAINING ORDER

SEPTEMBER 11, 2020

Plaintiff's Order to Show Cause why defendants should not be temporarily
enjoined from enforcing 42 C.F.R. § 71.51 against plaintiff having come before the
Court, and good cause appearing therefore, namely evidence showing that immediate
and irreparable harm will result to the plaintiff if defendants are allowed to continue to

enforce 42 C.F.R. § 71.51 against plaintiff pending a trial on the merits seeking permanent injunctive relief.

IT IS HEREBY ORDERED THAT:

Plaintiff's Order to Show Cause why defendants should not be temporarily enjoined from prosecuting plaintiffs is GRANTED, and

1. Defendants are hereby ordered that pending the hearing on the determination of the preliminary and permanent injunction, the Defendants are barred, enjoined and restrained from enforcing 42 C.F.R. § 71.51 against plaintiff,
2. , such Order to remain in effect until _____ am/pm on the _____ day of _____, 2020.
3. Plaintiff's counsel shall serve a copy of this Order on defendants or Defendants' counsel by personal delivery or fax on or before _____ am/pm on the _____ day of _____, 2020.
4. Defendants shall respond by filing papers with the Clerk of the Court on or before _____ am/pm on the _____ day of _____, 2020, contemporaneously serving copies on plaintiff's counsel by personal delivery or fax, to show cause why a temporary injunction should not issue to enjoin the defendants and all other persons in active concert or participation with them, directly or indirectly, by use of any means or instrumentality, from enforcing 42 C.F.R. § 71.51 against plaintiff pending resolution of the complaint for permanent injunctive relief herein.

Dated: _____

United States District Judge

Presented By:

/s/ Richard Bruce Rosenthal
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